

REMARKS

Claims 5-12, 22 and 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 27 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Claims 5-12, 22 and 27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Claims 5, 6, 8, 10, 22 and 27 are rejected under 35 U.S.C. 102(b) as being fully anticipated by Carlson et al. '352.

Claims 5-11, 22 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carlson '352.

Claims 5, 6, 8, 10, 22 and 27 are rejected under 35 U.S.C. 102(b) as being fully anticipated by Congleton et al. '999.

Claims 5, 10-12, 22 and 27 are rejected under 35 U.S.C. 102(b) as being fully anticipated by Watanabe et al. JP 11-110816.

Claims 5, 6, 9-11, 22 and 27 are rejected under 35 U.S.C. 102(b) as being fully anticipated by Bouldin '278.

Claims 5-12, 22 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. JP 11-110816 and Carlson '352, in view of either of Mizutani JP 01-144247 or Ogura JP 2001-076382.

Claims 5-12, 22 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. JP 11-110816 and Carlson '352, in view of either Mizutani JP 01-144247 or Ogura JP 2001-076382, further in view of Kubo '378.

The Examiner in the official action has rejected claims 5-12, 22 and 27 under 35 U.S.C. 112 for various reasons set forth in paragraphs 3 through 6. Applicants respectfully submit that the claims as currently set forth overcome the objections in that the claims as amended clearly set forth that the discrete optical analog images may be read digitally, but also can be viewed optically and are formed using near field optics. Claim 27 has been canceled as the

Independent claims are clearly set forth that the analog images are formed using near field optics which would inherently require the transfer in light onto the media.

Applicants have amended Independent claims 5 and 22 to more clearly set forth the present invention. In particular claims 5 and 22 have been amended to make it clear that the discrete optical analog images are formed or created using near field optics and can be viewed optically. In addition, the claims have been amended to clearly set forth that each of the discrete optical analog images comprise a digital bit that can be read digitally.

The present invention is unique in that the optical images themselves are of such a small size that they can function as a digital bit that can be read digitally, and can also be viewed optically to reveal an image.

Referring to Figs. 1A and 1B, Fig. 1A illustrates a data storage product that comprises a plurality of individual images 10 that can be read as digital bits 19, the bits 19 capable of being read digitally. As described on page 5 lines 26-27, the length of the image 10 is no greater than about 500 microns. This small size allows the images 10 to also function as a digital bit 19. These extremely small images 10 are formed using near field optics. Fig. 1B is a greatly enlarged view of a single one of the bits 19 that reveals that the bit 19 comprises an image 10. None of the cited references teach or suggest that an optical image formed using near field optics can function as a digital bit and can also be read optically. If desired the stream of digital bits 19 can be digitally fashioned such that it forms a digital record of the image illustrated in Fig. 1B. In the event that the digital bits 19 can no longer be read digitally, then the optical image 10 itself can be viewed optically using near field optics by viewing a single bit. None of the references teach forming a digital bit using near field optics wherein the digital bit comprises an actual optical image.

Applicant respectfully refers the Examiner to the previous response wherein each of the cited references where it is discussed in detail and clearly demonstrate that none of the references teach or suggest the present invention as set forth by the independent claims.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Deposit Account No. 05-0225.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frank Pincelli", written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.